

Sixth Appellate District

San Jose, California

MONDAY, MARCH 28, 2005

H027931 PEOPLE v. IMPEY

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 28, 2005

H025822 SULLIVAN v. ZUMSTEG

The orders denying James's motion under Family Code section 4331 and awarding \$5,300 in attorney's fees to Maryrose are affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed March 28, 2005

H026937 PEOPLE v. OTTINGER

By the Court*:

Appellant's petition for rehearing is denied.
Filed: March 28, 2005
*Before Elia, Acting P.J., Bamattre-Manoukian, J. and McAdams, J.

H026832 PEOPLE v. RAMIREZ

By the Court*:

Appellant's petition for rehearing is denied.
Filed: March 28, 2005
*Before Rushing, P.J., Elia, J. and Mihara, J.

TUESDAY, MARCH 29, 2005

H027098 MELENDREZ, et al. v. ROYAL REALTY

The judgment is affirmed. (published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 29, 2005

H027380 PEOPLE v. ESQUIVEL

The judgment is modified to stay the concurrent term imposed on count 3. As so modified, the judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 29, 2005

Sixth Appellate District

San Jose, California

Tuesday, March 29, 2005 (continued)

H026980 PEOPLE v. NGUYEN

The judgment is affirmed. The clerk of the superior court is ordered to correct the abstract of judgment to show (1) that defendant is entitled to 1006 actual days in custody and 502 days of credit pursuant to Penal Code section 4019 for a total of 1508 days' presentence credits; and (2) that the Penal Code section 1202.4 restitution fine is \$200 and the Penal Code section 1202.45 restitution fine is \$200. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 29, 2005

H027551 PEOPLE v. ROYSTON

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 29, 2005

H027219 PEOPLE v. HANDS

Defendant's conviction on count 1 (simple assault) is stricken. As modified, the judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 29, 2005

H026802 EVANS v. CITY OF SAN JOSE, et al.

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)
Filed March 29, 2005

H024624 MAY v. TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY
By the Court*:

Appellant James H. May's petition for rehearing is denied.
Filed: March 29, 2005
*Before Rushing, P.J. and Premo, J.

H026960 PEOPLE v. NGUYEN

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed March 29, 2005

H026596 PEOPLE v. BIRREY

By the Court*:
Appellant's petition for rehearing is denied.
Filed: March 29, 2005
*Before Rushing, P.J., Premo, J. and Mihara, J.

Sixth Appellate District

San Jose, California

Tuesday, March 29, 2005 (continued)

H026487 PEOPLE v. NGUYEN

By the Court*:

Appellant's petition for rehearing is denied.

Filed: March 29, 2005

*Before Rushing, P.J., Premo, J. and Elia, J.

H027375 PEOPLE v. JONES

The judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed March 29, 2005

H025934 BROWNE v. TURNER CONSTRUCTION COMPANY, et al.

The judgment is reversed. (published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed March 29, 2005

H027202 PEOPLE v. BJERKHOEL

The judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed March 29, 2005

H026652 PEOPLE v. PARKINSON

The judgment is reversed for the limited purposes of (1) modifying the restitution ordered to Fablaus and Deborah Rousseau to reflect that the principal amount due as of March 26, 2003, was \$13,268 rather than \$14,264; and (2) striking the parole revocation fine of \$800 on "Case A, " the charge of making false application for a driver's license in violation of Penal Code section 118. The trial court is directed to prepare a modified order of restitution and modified abstract of judgment consistent with these modifications. In all other respects the judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed March 29, 2005

WEDNESDAY, MARCH 30, 2005

H027045 PEOPLE v. FREEMAN

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed March 30, 2005

Sixth Appellate District

San Jose, California

Wednesday, March 30, 2005 (continued)

H028261 CHRISTINE T. v. SUPERIOR COURT OF MONTEREY COUNTY

The petition for extraordinary writ is denied. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed March 30, 2005

H024127 COUNTY OF SANTA CRUZ v. KENNETH WATERHOUSE et al.

The judgment of the trial court is affirmed. (published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed March 30, 2005

FRIDAY, APRIL 1, 2005

(no minute approved orders)